

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

BRIAN LEIGH TOBIAS, ) Case No. CV 10-1170-JFW (DTB)  
Petitioner, )  
vs. ) ORDER ACCEPTING FINDINGS,  
FRANK X. CHAVEZ, Acting ) CONCLUSIONS AND  
Warden, ) RECOMMENDATIONS OF UNITED  
Respondent. ) STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Second Amended Petition, all the records and files herein, and the Report and Recommendation of the United States Magistrate Judge. Objections to the Report and Recommendation have been filed herein. Having made a de novo determination of those portions of the Report and Recommendation to which objections have been made, the Court concurs with and accepts the findings, conclusions and recommendations of the Magistrate Judge.

IT THEREFORE IS ORDERED that Judgment be entered denying the Second Amended Petition and dismissing this action with prejudice.

DATED: August 14, 2013

  
John F. Walter

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JOHN F. WALTER  
UNITED STATES DISTRICT JUDGE